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**MAY 02 2005**

In re Application of  
Helena G. Koay  
Application No. 09/243,269  
Filed: February 3, 1999  
Attorney Docket No. L0012/7006

**OFFICE OF PETITIONS**

**ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), to revive the above-identified application and on the petition under 37 CFR 1.313(a), filed April 18, 2005.<sup>1</sup>

The petition under 37 CFR 1.137(b) is **DISMISSED**.

The petition under 37 CFR 1.313(a) is **DISMISSED AS MOOT**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." No additional fee is required with any renewed petition. Petitioner is advised that this is **not** a final agency action decision.

The above-identified application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance mailed December 17, 2004, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on March 18, 2005.

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by: (1) the required reply (unless previously filed), which may met by the filing of a continuing application in a nonprovisional application abandoned for failure to prosecute, but must be the payment of the issue fee or any outstanding balance thereof in an application or

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<sup>1</sup> Petitions to withdraw an application from issue prior to payment of the issue fee are properly within the jurisdiction of the Technology Center. However, in view of the abandoned status of this application and in order to expedite matters herein, this matter will be handled by the Office of Petitions.



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Telephone inquiries concerning this decision should be directed to Wan Laymon at (571) 272-3220.

A handwritten signature in black ink, appearing to read "Wan Laymon", is written over the printed name.

Wan Laymon  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy